

MONDAY, MAY 6, 1991

FORTY-FOURTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Danny Bell, Christ Church Pentecostal, Lebanon, Tennessee.

Representative Joe Bell led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 93

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Holt; due to illness.

Representative Nuber; due to personal reasons.

Representative Stamps; due to illness.

PRESENT IN CHAMBER

Representative(s) Clark and Robinson (Davidson) was/were recorded as being present in the Chamber.

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CONSENT CALENDAR

House Bill No. 1058 -- Libraries -- Authorizes state librarian in certain cases to destroy original archival titles and records. Amends TCA 10-7-307.

On motion, House Bill No. 1058 was made to conform with Senate Bill No. 746.

On motion, **Senate Bill No. 746**, on same subject, was substituted for House Bill No. 1058.

House Bill No. 1383 -- Public Records -- Authorizes destruction of certain records without necessity of duplication by county public records commission. Amends TCA 10-7-403, 404, 406, 411, 413, 10-7-502, 503.

On motion, House Bill No. 1383 was made to conform with Senate Bill No. 1402.

On motion, **Senate Bill No. 1402**, on same subject, was substituted for House Bill No. 1383.

House Bill No. 1007 -- Witnesses -- Delays payment of witness compensation until taxed and paid into court as costs. Amends TCA 24-4-101.

On motion, House Bill No. 1007 was made to conform with Senate Bill No. 36.

On motion, **Senate Bill No. 36**, on same subject, was substituted for House Bill No. 1007.

House Bill No. 1292 -- Divorce and Annulment -- Clarifies emphasis to be given to elements of contribution to determine distribution of marital property. Amends TCA 36-4-121.

***House Joint Resolution No. 0280 -- Highway Signs --** Bedford Veterans Memorial Bridge, South Cannon Boulevard in Shelbyville.

***Senate Joint Resolution No. 0162 -- Memorials, Government Officials --** Urges expansion of I-65 from Concord Road exit to Franklin exit.

***House Joint Resolution No. 0242 -- General Assembly, Confirmation of Appointment --** Ronald P. Butterfield, State Certification Commission.

***House Joint Resolution No. 0243 -- General Assembly, Confirmation of Appointment --** William R. Willis, State Certification Commission.

***Senate Joint Resolution No. 0106 -- General Assembly, Statement of Intent or Position --** Opts Tennessee out of federal Drug Offender's Driving Privileges Suspension Act of 1990".

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***House Bill No. 1563** -- Coon Dog Laws -- Permits training of coon dogs year round in Obion County. Amends TCA 70-4-122.

On motion, House Bill No. 1563 was made to conform with Senate Bill No. 1552.

On motion, **Senate Bill No. 1552**, on same subject, was substituted for House Bill No. 1563.

***House Joint Resolution No. 0276** -- Highway Signs -- Veterans Memorial Bridge, S.R. 25, Smith County.

***House Joint Resolution No. 0256** -- General Assembly, Statement of Intent or Position -- Urges increased support for veterans of Operation Desert Shield/Desert Storm.

***Senate Joint Resolution No. 0105** -- Highway Signs -- Veterans Parkway, portion of U.S. Highway 11-E.

House Bill No. 1227 -- Liens -- Authorizes priority of certain liens by date created. Amends TCA, Title 7, Ch. 34; Title 9, Ch. 21.

House Bill No. 0785 -- Education -- Expands list of personnel authorized to suspend students. Amends TCA 49-6-3401.

House Bill No. 0787 -- Education -- Provides employment protection for parents or legal guardians required to attend child's school for certain purposes. Amends TCA, Title 50, Ch. 1, Pt. 3.

***House Bill No. 1310** -- Mobile Homes and Manufactured Buildings -- Preempts local regulations of tie-down standards for manufactured homes. Amends TCA, Title 68, Ch. 36, Pt. 4.

On motion, House Bill No. 1310 was made to conform with Senate Bill No. 1448.

On motion, **Senate Bill No. 1448**, on same subject, was substituted for House Bill No. 1310.

***House Joint Resolution No. 0298** -- Memorials, Government Officials -- Requests Governor to consider achieving gender and racial balance in making appointments to state boards and commissions.

House Bill No. 1065 -- Railroads -- Removes requirement that railroad equipment sales contracts be registered with secretary of state. Amends TCA 65-10-111.

On motion, House Bill No. 1065 was made to conform with Senate Bill No. 461.

On motion, **Senate Bill No. 461**, on same subject, was substituted for House Bill No. 1065.

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***House Joint Resolution No. 0270** -- Memorials, Congress -- Urges securing credit interests of milk producers against handlers.

House Resolution No. 0081 -- Memorials, Interns -- Daphne D. Taylor.

House Resolution No. 0082 -- Memorials, Recognition and Thanks -- Myrtle Cook Curry.

House Resolution No. 0083 -- Memorials, Personal Achievement -- Carol Lamons, State and Regional American Legion Oratorical Contest winner.

House Resolution No. 0084 -- Memorials, Interns -- J. Michael Carpenter.

House Resolution No. 0085 -- Memorials, Interns -- James Jackson Presswood, Jr.

House Joint Resolution No. 0319 -- Memorials, Heroism -- Washington County naval units.

House Joint Resolution No. 0320 -- Memorials, Retirement -- Sue Young.

House Joint Resolution No. 0321 -- Memorials, Congratulations -- Svend Wildenrath.

House Joint Resolution No. 0322 -- Memorials, Sports -- Coffee County Central High School varsity cheerleaders, 1991 Cheerleaders of America national champions.

Senate Joint Resolution No. 0209 -- Memorials, Interns -- Sherry Tolliver.

Senate Joint Resolution No. 0213 -- Memorials, Interns -- Sheila Humphrey.

Senate Joint Resolution No. 0216 -- Memorials, Death -- Jimmy Nelson.

Senate Joint Resolution No. 0219 -- Memorials, Interns -- Michael Dioguardi.

Senate Joint Resolution No. 0221 -- Memorials, Professional and Business Achievement -- Cumberland Hardwoods, 1991 finalist Governor's Excellence awards.

House Bill No. 1595 -- Crossville -- Changes term of mayor and commissioners from two to four years. Amends Chapter 519, Private Acts of 1953, as amended.

House Bill No. 1596 -- Trenton -- Revises salary of city judge. Amends Chapter 551, Acts of 1903, as amended.

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House Bill No. 1597 -- Crossville -- Changes election from December to November. Amends Chapter 519, Private Acts of 1953, as amended.

House Bill No. 1598 -- Crossville -- Permits mayor to be elected official. Amends Chapter 519, Private Acts of 1953, as amended.

House Bill No. 1599 -- Crossville -- Establishes compensation for mayor and commissioner. Amends Chapter 519, Private Acts of 1953, as amended.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Resolution No. 82: by Rep. U. Jones (Shelby).

House Bill No. 785; by Rep. Hargrove.

House Bill No. 787; by Rep. Chiles.

Under the rules, House Bill(s) No(s). 785 and 787 was/were placed at the foot of the calendar for Thursday, May 9, 1991; House Resolution No. 82 was held on the Clerk's desk.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	91
Noes.	0
Present and not voting.	4

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Garrett, Givens, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Head, Hill, Hillis, Holcomb, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

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Representatives present and not voting were: Fowlkes, Hargrove, Rigsby, Rinks -- 4.

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 0014** -- Election Laws -- Prohibits conversion of campaign funds to personal use; expands requirements for conflict of interest disclosure statements. Amends TCA, Title 2, Ch. 10; Title 8, Ch. 50, Pt. 5.

Further consideration of House Bill No. 14, previously considered on April 29, 1991, at which time it was reset to the Calendar for May 6, 1991.

Rep. Kisber moved that House Bill No. 14 be reset one week to the Calendar for Monday, May 13, 1991, which motion prevailed.

House Bill No. 0715 -- Comptroller, State -- Enacts "Financially Distressed Municipalities, Counties and Education Agencies Act of 1991".

Further consideration of House Bill No. 715, previously considered on April 29, 1991, at which time it was reset to the Calendar for May 6, 1991.

Rep. R. Jones moved that House Bill No. 715 be passed on third and final consideration.

Rep. Williams (Shelby) moved to amend as follows:

Amendment No. 1

Amend House Bill No. 715 by deleting the words and punctuation "policies, and procedures" from Section 2 of the printed bill.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. R. Jones moved that **House Bill No. 715**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	89
Noes.	0
Present and not voting.	5

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox),

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DeBerry, Dixon, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Hill, Hillis, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullis, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Winningham, Wix, Wood, Mr. Speaker Naifeh -- 89.

Representatives present and not voting were: Chiles, Haley, Holcomb, Whitson, Windle -- 5.

A motion to reconsider was tabled.

House Bill No. 1061 -- Real Estate Agents and Brokers -- Delays requirement of licensure for real estate appraisers from July 1, 1991 to December 31, 1991. Amends TCA, Title 62, Ch. 39.

Further consideration of House Bill No. 1061, previously considered on May 1, 1991, at which time it was reset to the Calendar for May 6, 1991.

On motion, House Bill No. 1061 was made to conform with Senate Bill No. 1309.

On motion, **Senate Bill No. 1309**, on same subject, was substituted for House Bill No. 1061.

Rep. Kisber moved that **Senate Bill No. 1309** be passed on third and final consideration.

On motion, Rep. Bivens withdrew Commerce Committee Amendment No. 1.

Rep. Pinion moved to amend as follows:

Amendment No. 2

AMEND Senate Bill No. 1309 deleting subsection (a) of Section 12, as amended, and by substituting instead the following:

(a) A state licensed appraiser is authorized to perform appraisals of residential, agricultural, industrial, or special purpose property with a transaction value of up to, but not including, one million dollars (\$1,000,000).

AND FURTHER AMEND by deleting subsection (b) of Section 12, as amended, and by substituting instead the following:

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(b) A state certified residential appraiser is authorized to perform appraisals of residential, agricultural, industrial, or special purpose property with a transaction value of up to, but not including, two million dollars (\$2,000,000).

Rep. Kisber moved that Amendment No. 2 be tabled, which motion prevailed.

Rep. Shirley moved to amend as follows:

Amendment No. 3

Amend Senate Bill No. 1309 by deleting Section 7 and by renumbering the subsequent sections accordingly.

Rep. Kisber moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes.	42
Noes.	41
Present and not voting.	2

Representatives voting aye were: Allen, Armstrong, Bittle, Bivens, Bragg, Chiles, Clark, Cole, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Dixon, Fowlkes, Garrett, Givens, Haley, Hillis, Huskey, Jackson, Johnson, Kent, King, Kisber, Liles, Moore, Odom, Peroulas, Draper, Pinion, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Tindell, Tullos, Turner (Hamilton), West, Whitson, Williams (Shelby), Windle, Mr. Speaker Naifeh -- 42.

Representatives voting no were: Anderson, Arriola, Bell, Buck, Byrd, Callicott, Coffey, Collier, Crain, Cross, Duer, Ferguson, Gunnels, Halteman, Hargrove, Harrill, Hassell, Hill, Holcomb, Hubbard, Jones R (Shelby), Joyce, Kernell, Knight, McDaniel, McKee, Meyer, Niceley, Phillips, Pruitt, Rigsby, Rinks, Severance, Shirley, Sipes, Turner (Shelby), Venable, Walley, Williams (Union), Wix, Wood -- 41.

Representatives present and not voting were: Chumney, Haun -- 2.

Rep. Shirley moved to amend as follows:

Amendment No. 4

Amend Senate Bill No. 1309 by adding the following new section and redesignating Section 42 as Section 43:

Section 42. Tennessee Code Annotated, Title 62, Section 39, Part 3, is amended by adding the following appropriately designated new section:

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() If any applicant shall fully complete at least either the educational or experience requirements of this chapter for any license and/or certification, then the commission shall grant such transitional license and/or certification for a period not to exceed two (2) years. The applicant for transitional license must complete the remaining unfulfilled requirements within the two (2) year period subsequent to receiving such license or such license shall be revoked or suspended. The examinations required by this chapter are not subject to waiver and the applicant must successfully complete such examinations required for the appropriate license and/or certification. No transitional license may be granted after January 1, 1995.

Any provision of this section deemed by the Federal Appraisal Subcommittee to conflict with such subcommittee's guidelines shall be null and void upon such finding.

Rep. Kisber moved that Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes.	58
Noes.	29
Present and not voting.	3

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Chiles, Chumney, Clark, Cole, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Givens, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Kent, Kisber, Love, McAfee, McKee, Moore, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Tindell, Turner (Hamilton), Whitson, Williams (Shelby), Windle, Winningham, Mr. Speaker Naifeh -- 58.

Representatives voting no were: Callicott, Collier, Crain, Cross, Garrett, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Hill, Holcomb, Jones R (Shelby), Kernell, Knight, Liles, McDaniel, Meyer, Niceley, Shirley, Tullos, Turner (Shelby), Venable, Walley, West, Williams (Union), Wix, Wood -- 29.

Representatives present and not voting were: Hubbard, Joyce, Napier -- 3.

Rep. Kisber moved to amend as follows:

Amendment No. 5

Amend Senate Bill No. 1309 by deleting Section 15 in its entirety and by substituting instead the following new Section 15:

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Section 15. Tennessee Code Annotated, Title 62, Chapter 39, Part 3, is amended by adding the following new section:

Section ____.

(a) An applicant that has completed forty-five (45) hours of education, and has completed two thousand (2000) hours of experience may apply for a transitional license. The applicant shall be granted full licensure upon submission of documentation that he has completed the additional requirements necessary for full licensure. If the applicant does not obtain the remaining requirements for full licensure the applicant's transitional license shall not be renewed.

(b) No transitional licensure shall be issued after December 31, 1992.

(c) A person applying for a transitional license must pass an examination prior to being issued a transitional license.

(d) A person holding a transitional license shall be required to designate himself as a transitional license holder on all documentation.

On motion, Amendment No. 5 was adopted.

Thereupon, Rep. Kisber moved that **Senate Bill No. 1309**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	83
Noes.	11

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Herron, Hill, Hillis, Holcomb, Hubbard, Huskey, Jackson, Johnson, Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McKee, Meyer, Moore, Napier, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 83.

Representatives voting no were: Armstrong, Callicott, Cross,

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Harrell, Head, Jones R (Shelby), McDaniel, Niceley, Rigsby, Shirley, Williams (Union) -- 11.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE
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MR. SPEAKER: I am directed to request the return of Senate Bill No. 1076, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SENATE BILL RETURNED

There being no objection, Rep. Odom asked that the Clerk be directed to return **Senate Bill No. 1076** to the Senate as requested.

***Senate Bill No. 1076** -- Antique Dealers -- Permits use and possession of antique slot machines under certain circumstances. Amends TCA, Title 39, Ch. 17, Pt. 5. by. *Cohen.

**MESSAGE FROM THE SENATE
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MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 229; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0229 -- Memorials, Professional and Business Achievement -- Red Walnut Church, 125th Anniversary. by *Springer.

RULES SUSPENDED

Rep. Odom moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 324 out of order, which motion prevailed.

House Joint Resolution No. 0324 -- Memorials, Heroism -- Warren Tardy.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Odom, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

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Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullios, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

RECESS

Rep. Odom moved that the House stand in recess so that Mr. Warren Tardy be allowed to come to the Well, which motion prevailed; Mr. Speaker Naifeh recognized Mr. Warren Tardy for remarks.

RECESS EXPIRED

Rep. Purcell moved that the recess having expired, the House dispense with the roll call, which motion prevailed.

REGULAR CALENDAR, CONTINUED

House Bill No. 1433 -- District Attorneys -- Authorizes employment of additional assistant district attorneys general and criminal investigators in 3rd judicial district. Amends TCA 16-2-506.

Further consideration of House Bill No. 1433, previously considered on May 1, 1991, at which time it was reset to the Calendar for May 6, 1991.

Rep. Johnson moved that House Bill No. 1433 be reset to the Calendar for Thursday, May 9, 1991, which motion prevailed.

House Bill No. 1085 -- Antique Dealers -- Permits use and possession of antique slot machines under certain circumstances. Amends TCA, Title 39, Ch. 17, Pt. 5.

Rep. Moore moved that House Bill No. 1085 be reset to the Calendar for Thursday, May 9, 1991, which motion prevailed.

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CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

REGULAR CALENDAR, CONTINUED

House Bill No. 1141 -- Motor Vehicles -- Authorizes additional method of disposing of confiscated motor vehicles. Amends TCA 12-2-201.

Rep. Herron moved that House Bill No. 1141 be passed on third and final consideration.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1141 by deleting Section 1 in its entirety and substituting instead the following new Section 1:

SECTION 1. Tennessee Code Annotated, Section 12-2-201, is amended by inserting in the first sentence after the words "public sale" and before the words "all motor" the following words:

, or to a governmental entity in accordance with the requirements of Section 12-2-407,

Tennessee Code Annotated, Section 12-2-201, is further amended by designating the present language as subsection (a) and adding the following new subsections:

(b) Notwithstanding any provision of the law or this chapter to the contrary, in the sale of motor vehicles to governmental entities in accordance with the provisions of Section 12-2-407, it shall be the duty of the commissioner of general services:

(1) To determine the place of storage and the location of the sale of such motor vehicles;

(2) To determine, in lieu of the provisions of section 12-2-205, the fair market value of such vehicles to be sold;

(3) To set the percentage of the sale price to be retained by the department to defray the costs of administering the sale and such percentage may exceed the amount provided in Section 12-2-207(a);

(4) (a) To enter notice of the intended disposal by public sale in at least one (1) newspaper of

general circulation in the county or counties in which the disposal is to be made, (b) to include in such advisement the manner in which interested parties can obtain information regarding the make, model, condition, and options which may be on a vehicle, and (c) to post printed public notices in at least two (2) public places in the county in which the vehicle was seized and confiscated, with one (1) of the public places to be the courthouse; and

(5) To promulgate rules and regulations for the implementation of the provisions of this act.

For such sales, the provisions of Section 12-2-202(b) shall not apply. Notwithstanding the provisions of any law or Section 12-2-208 to the contrary, any state, city, or county officer, employee or his agent may buy or offer to buy motor vehicles when such purchase is in the name of and for the use of a governmental entity.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Herron moved that **House Bill No. 1141**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullios, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 0786 -- Education -- Revises hearing requirement for suspension of students for certain periods. Amends TCA 49-6-3401.

Rep. Jackson moved that House Bill No. 786 be reset one week to the Calendar for Monday, May 13, 1991, which motion prevailed.

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House Bill No. 0926 -- Physicians and Surgeons -- Authorizes board of medical examiners to issue reciprocity licenses to certain physicians who qualify as distinguished professors. Amends TCA 63-6-211.

Rep. Jackson moved that House Bill No. 926 be reset one week to the Calendar for Monday, May 13, 1991, which motion prevailed.

House Bill No. 1155 -- Professions and Occupations -- Revises requirements for professional counselors. Amends TCA, Title 63, Ch. 22.

On motion, House Bill No. 1155 was made to conform with Senate Bill No. 763.

On motion, **Senate Bill No. 763**, on same subject, was substituted for House Bill No. 1155.

Rep. Duer moved that **Senate Bill No. 763** be passed on third and final consideration.

On motion, Rep. Dixon withdrew Health and Human Resources Committee Amendment No. 1.

On motion, Rep. Dixon withdrew Health and Human Resources Committee Amendment No. 2.

Rep. Duer moved that **Senate Bill No. 763** be passed on third and final consideration.

Rep. Duer moved that Senate Bill No. 763 be reset to the Calendar for Thursday, May 9, 1991, which motion prevailed.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

House Bill No. 1192 -- Highway Signs -- Mosheim.

On motion, House Bill No. 1192 was made to conform with Senate Bill No. 1241.

On motion, **Senate Bill No. 1241**, on same subject, was substituted for House Bill No. 1192.

Rep. Haun moved that **Senate Bill No. 1241** be passed on third and final consideration.

On motion, Rep. Robinson (Davidson) withdrew Transportation Committee Amendment No. 1.

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Rep. Haun moved that **Senate Bill No. 1241** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

***House Bill No. 0587** -- Education, Higher -- Requires financial disclosure statement for student activity fees. Amends TCA, Title 49.

Rep. Hill moved that **House Bill No. 587** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Head, Hill, Hillis, Holcomb, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Hargrove -- 1.

A motion to reconsider was tabled.

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House Bill No. 0931 -- District Attorneys -- Creates additional assistant district attorney general position for 18th judicial district. Amends TCA 16-2-506.

The Speaker announced that Rep. Stamps requested that House Bill No. 931 be reset two weeks to the Calendar for Monday, May 20, 1991.

House Bill No. 1380 -- Pest Control -- Removes provision stating rules promulgated under Tennessee Pest Control Operators Act of 1972 are rules under Tennessee Application of Pesticides Act of 1978. Amends TCA, Title 62, Ch. 21.

The Speaker announced that Rep. Stamps requested that House Bill No. 1380 be reset two weeks to the Calendar for Monday, May 20, 1991.

House Bill No. 0385 -- General Assembly -- Prohibits members from being lobbyists. Amends TCA, Title 3.

On motion, House Bill No. 385 was made to conform with Senate Bill No. 644.

On motion, **Senate Bill No. 644**, on same subject, was substituted for House Bill No. 385.

Rep. Chumney moved that **Senate Bill No. 644** be passed on third and final consideration.

Rep. Chumney moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 644 by deleting the amendatory Section 1 in its entirety and substituting instead the following:

A member of the general assembly may not be a lobbyist as defined in Tennessee Code Annotated, Title 3, Chapter 6, Part 1.

Rep. Chumney moved that Senate Bill No. 644 be reset one week to the Calendar for Monday, May 13, 1991, which motion prevailed.

House Bill No. 1159 -- Motor Vehicles -- Increases time period for filing written reports of accidents causing damage in excess of \$400. Amends TCA, Title 55.

Rep. Davis (Cocke) moved that House Bill No. 1159 be reset one week to the Calendar for Monday, May 13, 1991, which motion prevailed.

House Joint Resolution No. 0190 -- Memorials, Government

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Officials -- Urges Attorney General to appeal Tennessee Small Schools v. McWherter.

Further consideration of House Joint Resolution No. 190, previously considered on April 25 and May 2, 1991, at which time it was reset to the Calendar for May 6, 1991.

Rep. Buck renewed his motion for adoption of House Joint Resolution No. 190.

Rep. Arriola moved the previous question, which motion prevailed by the following vote:

Ayes.	60
Noes.	25
Present and not voting.	5

Representatives voting aye were: Allen, Armstrong, Arriola, Bell, Bittle, Bivens, Buck, Byrd, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Haley, Hassell, Head, Hill, Hillis, Holcomb, Hubbard, Huskey, Jackson, Johnson, Jones U (Shelby), Joyce, Kent, King, Kisber, McDaniel, Meyer, Moore, Niceley, Peroulas Draper, Phillips, Pinion, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Shelby), Venable, West, Wunningham, Wix -- 60.

Representatives voting no were: Anderson, Chumney, Cole, Givens, Gunnels, Halteman, Harrill, Haun, Jones R (Shelby), Knight, McAfee, McKee, Napier, Odom, Pruitt, Purcell, Rhinehart, Rigsby, Rinks, Walley, Whitson, Williams (Shelby), Williams (Union), Windle, Wood -- 25.

Representatives present and not voting were: Herron, Kernell, Love, Turner (Hamilton), Mr. Speaker Naifeh -- 5.

Rep. Buck moved that **House Joint Resolution No. 190** be adopted, which motion prevailed by the following vote:

Ayes.	57
Noes.	32
Present and not voting.	5

Representatives voting aye were: Allen, Armstrong, Arriola, Bittle, Bivens, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Collier, Copeland, Crain, Curlee, Davis (Gibson), Davis (Knox), Dixon, Duer, Garrett, Haley, Hassell, Herron, Hill, Holcomb, Hubbard, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Knight, Liles, McAfee, Meyer, Moore, Napier, Niceley, Peroulas Draper, Pinion, Pruitt, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Shelby), Venable, West, Williams (Shelby), Wood -- 57.

Representatives voting no were: Anderson, Bell, Bragg, Cole,

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Cross, Davidson, Davis (Cocke), Ferguson, Fowlkes, Givens, Gunnels, Halteman, Hargrove, Haun, Head, Hillis, Kisber, McDaniel, Odom, Phillips, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Turner (Hamilton), Walley, Whitson, Williams (Union), Windle, Winningham, Wix -- 32.

Representatives present and not voting were: Callicott, DeBerry, Harrill, McKee, Mr. Speaker Naifeh -- 5.

A motion to reconsider was tabled.

***House Bill No. 1304** -- Medicare and Medicaid -- Revises determination of resources for eligibility for medicaid assistance; changes time from 24 to 30 months for resources sold or given away at less than fair market value to establish eligibility. Amends TCA, Titles 56, 68, 71.

Further consideration of House Bill No. 1304, previously considered on April 25 and May 2, 1991, at which time it was reset to the Calendar for May 6, 1991.

Rep. West moved that House Bill No. 1304 be passed on third and final consideration.

Rep. Dixon moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1304 by deleting Sections 1 and 2 in their entirety and substituting instead the following:

Section 1. Tennessee Code Annotated, Section 74-1-106(b), is amended by deleting it in its entirety and substituting the following

In determining the eligibility of an individual for benefits under this chapter, resources that have been previously owned and transferred by the individual (or his spouse) shall be treated in a manner consistent with Title XIX of the Social Security Act.

Section 2. Tennessee Code Annotated, Section 71-5-118(b), is amended by deleting in its entirety the last sentence thereof.

Section 3. This act shall take effect July 1, 1991, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. West moved that **House Bill No. 1304**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes.	81
Noes.	13

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Fowlkes, Garrett, Givens, Gunnels, Halteman, Hassell, Herron, Hill, Hillis, Holcomb, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Wood, Mr. Speaker Naifeh -- 81.

Representatives voting no were: Cross, Davidson, Ferguson, Haley, Harrilli, Haun, Head, Napier, Rhinehart, Whitson, Windle, Winningham, Wix -- 13.

A motion to reconsider was tabled.

House Bill No. 0881 -- Civil Procedure -- Exempts records custodians from subpoena to trial. Amends TCA 24-9-101.

Further consideration of House Bill No. 881, previously considered on April 29 and May 2, 1991, at which time it was reset to the Calendar for May 6, 1991.

Rep. Bittle moved that House Bill No. 881 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 881 by deleting from the amendatory language of Section 1 the language "(8) A records custodian." and substituting instead the language "(8) A custodian of medical records."

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Bittle moved that **House Bill No. 881**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	81
Noes.	12
Present and not voting.	1

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Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Garrett, Givens, Gunnels, Haley, Halteman, Hassell, Haun, Herron, Hill, Holcomb, Huskey, Jackson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Winningham, Wix, Mr. Speaker Naifeh -- 81.

Representatives voting no were: Callicott, Fowlkes, Hargrove, Harrill, Hubbard, Johnson, Purcell, Rigsby, Rinks, Whitson, Windle, Wood -- 12.

Representatives present and not voting were: Head -- 1.

A motion to reconsider was tabled.

House Bill No. 1140 -- Surplus Property -- Allows certain entities to retain profit from resale of surplus property under certain circumstances. Amends TCA, Title 12, Ch. 2, Pt. 4.

On motion, House Bill No. 1140 was made to conform with Senate Bill No. 1055.

On motion, **Senate Bill No. 1055**, on same subject, was substituted for House Bill No. 1140.

Rep. Herron moved that **Senate Bill No. 1055** be passed on third and final consideration.

Rep. Herron moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 1055 by deleting in the amendatory language of Section 1 the language "not for profit governmental entity or corporation chartered for education activities" and by substituting instead the following:

vocational programs operated under Title 49, Chapter 11, or state technical institutes operated by the state board of regents

On motion, Amendment No. 1 was adopted.

Rep. McDaniel moved to amend as follows:

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Amendment No. 2

Amend Senate Bill No. 1055 by adding a new paragraph as follows at the end of the amendatory language in Section 1:

The resale of such surplus property shall be made only after public advertisement of the sale in a newspaper of general circulation in the county or municipality at least twice in a two (2) week period preceding the sale.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Herron moved that **Senate Bill No. 1055**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullios, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Resolution No. 0039 -- Memorials, Government Officials -- Urges attorney general to appeal Tennessee Small Schools v. McWherter.

Further consideration of House Resolution No. 39, previously considered on April 25 and May 2, 1991, at which time it was reset to the Calendar for May 6, 1991.

Rep. Buck moved that **House Resolution No. 39** be re-referred to the Calendar and Rules Committee, which motion prevailed.

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MESSAGE CALENDAR

CONFERENCE COMMITTEE APPOINTED
ON SENATE BILL NO. 268

Pursuant to Rule No. 73, Representative Collier moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 268, which motion prevailed.

The Speaker appointed Representatives Collier, McDaniel, Herron, Fowlkes and Pinion as the House members of the Conference Committee on Senate Bill No. 268.

***Senate Bill No. 0633** -- Garnishments and Executions -- Codifies form for garnishment calculation. Amends TCA, Title 26, Ch. 2.

Rep. Herron moved that Senate Bill No. 633 be reset to the Message Calendar for Monday, May 13, 1991, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1008 -- Administrative Procedure -- Establishes hearing and notice requirements for administrative meetings. Amends TCA, Title 4, Ch. 5.

Senate Amendment No. 1

Amend House Bill No. 1008 by deleting the following language:

The provisions of this act shall not apply to the public service commission.

Rep. Garrett moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 1008**, which motion prevailed by the following vote:

Ayes.	93
Noes.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Herron, Hill, Hillis, Holcomb, Hubbard, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson

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(Washington), Severance, Shirley, Sipes, Tindell, Tullios, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives voting no were: Head -- 1.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1028 -- Bail, Bail Bonds -- Clarifies duration of bail bond in criminal case. Amends TCA, Title 40, Ch. 11.

Senate Amendment No. 1

Amend House Bill 1028 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 40-11-113, is amended by deleting subsections (b) and (c) in their entirety and by adding the following new subsections:

(b) If a defendant is convicted of first degree murder, a Class A felony, aggravated robbery, aggravated sexual battery, aggravated kidnapping or a violation of § 39-17-417(b) or (i), the judge shall revoke bail immediately, notwithstanding sentencing hearings, motions for a new trial and related post-guilt determination hearings.

(c) If the defendant is convicted of any other felony offense, the judge may revoke bail immediately, notwithstanding sentencing hearings, motions for a new trial and related post-guilt determination hearings.

Senate Amendment No. 2

Amend House Bill No. 1028 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 40-11-133, is amended by adding the following language as a new subsection (c):

(c) Any capias issued pursuant to a forfeit, whether the forfeit is conditional or final, shall remain in full force and effect until the defendant is apprehended and returned to the criminal justice system, and a disposition is entered in the defendant's case.

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Rep. Wix moved that the House concur in Senate Amendment(s) No(s). 1 and 2 to **House Bill No. 1028**, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 1306 -- Crime, Victims of -- Establishes Tennessee victims coalition. Amends TCA, Title 4.

Senate Amendment No. 1

Amend House Bill No. 1306 by adding the following as new Section 2 and by renumbering the existing Section 2 accordingly:

SECTION 2. Tennessee Code Annotated, Section 4-29-213(a), is amended by adding a new subdivision thereto, as follows:

() Tennessee victims coalition, created by Section 1 of this act;

Senate Amendment No. 2

Amend House Bill No. 1306 by adding the following language after the second sentence in the fourth clause of the amendatory language of Section 1:

In electing the board of directors, the delegates shall strive to ensure that at least one (1) person serving on the board is sixty (60) years of age or older and that at least one (1) person serving on the board is a member of a racial minority.

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Senate Amendment No. 3

AMEND House Bill No. 1306 by adding between the words and punctuation "Mothers Against Drunk Drivers (MADD)", and "Parents of Murdered Children (POMC)" in the third amendatory paragraph of Section 1 of the printed bill, the following language and punctuation:

"East Tennessee Victims' Rights Task Force, Sexual Assault Crisis Center, Domestic Violence Shelters/Centers and"

AND FURTHER AMEND by deleting from the third paragraph of Section 1 of the printed bill the words and figures "eight (8)" and by substituting instead the words and figures "eleven (11)".

AND FURTHER AMEND by deleting from the fourth paragraph of Section 1 of the printed bill the words and figures "eight (8)" wherever they may appear and by substituting instead the words and figures "eleven (11)".

AND FURTHER AMEND by deleting from the fifth paragraph of Section 1 of the printed bill the words and figures "eight (8)" and by substituting instead the words and figures "eleven (11)".

Senate Amendment No. 4

Amend House Bill No. 1306 by deleting the ninth amendatory Section ____ of Section 1 in its entirety.

Senate Amendment No. 5

Amend House Bill No. 1306 by inserting the following new sentence between the second and third sentences of the fifth amendatory Section ____ of Section 1:

The chair shall also cause notice of such annual meeting to be published in a newspaper of general circulation in the minority community of each such city.

Senate Amendment No. 6

Amend House Bill No. 1306 by deleting Section 2 of the bill as printed and substituting instead the following:

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it and shall cease to be effective on July 1, 1993.

Senate Amendment No. 7

Amend House Bill No. 1306 by deleting the sixth, seventh

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and eighth amendatory Section ____.'s of Section 1 in their entirety.

Rep. Curlee moved that the House concur in Senate Amendment(s) No(s). 1, 2, 3, 4, 5, 6 and 7 to **House Bill No. 1306**, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. McDaniel moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 229 out of order, which motion prevailed.

Senate Joint Resolution No. 0229 -- Memorials, Professional and Business Achievement -- Red Walnut Church, 125th Anniversary. by *Springer.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. McDaniel, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Anderson moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 210 out of

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order, which motion prevailed.

***Senate Joint Resolution No. 0210 -- Highway Signs -- Inez Burns Parkway, U. S. Highway 321. by *Koella, *Gilbert, McKnight.**

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Anderson, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Buck moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that Senate Joint Resolution No. 217 can be heard by the Transportation Committee on Tuesday, May 7, 1991, which motion prevailed.

RULES SUSPENDED

Rep. Dixon moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that House Bill No. 1528 can be heard by the State and Local Government Committee on Tuesday, May 7, 1991, which motion prevailed.

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to the suspension of **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on Thursday, May 9, 1991:

Senate Bill No. 77: Rep. West.

House Bill No. 1175: Rep. Odom.

ANNOUNCEMENTS

Pursuant to **Rule No. 67**, Rep. Davis (Gibson) announced that the Agriculture Committee would meet at 12:00 noon on Tuesday, May 7, 1991.

RULES SUSPENDED

Rep. Davis (Gibson) moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that House Bill No. 996 can be heard by the Agriculture Committee on Tuesday, May 7, 1991, which motion prevailed.

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RULES SUSPENDED

Rep. Purcell moved to suspend **Rule No. 49**, so that the bill from Wednesday's Calendar can be placed to the head of Thursday's Calendar, which motion prevailed.

REPORT OF SELECT COMMITTEE

Pursuant to TCA 3-15-204, the 1990 Annual Report of the Select Committee on Children and Youth has been submitted to the Clerk's Office and distributed to each member of the General Assembly.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 14: Rep(s). Odom as prime sponsor(s).

House Bill No. 385: Rep(s). Herron as prime sponsor(s).

House Bill No. 1292: Rep(s). Walley as prime sponsor(s).

House Bill No. 1359: Rep(s). Herron as prime sponsor(s).

House Joint Resolution No. 298: Rep(s). Bivens, Herron, Kisber, Odom and Turner (Shelby) as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

On motion, the resolution(s) listed was/were introduced and referred as noted:

House Resolution No. 0086 -- Memorials, Congratulations -- Reshea Pensyl, MDA poster child. by *Windle.

Referred by the Speaker to the Calendar and Rules Committee.

House Resolution No. 0087 -- Memorials, Professional and Business Achievement -- Y. T. Johnson, Tree Farmer of the Year in Tennessee. by *Windle.

Referred by the Speaker to the Calendar and Rules Committee.

House Resolution No. 0088 -- Memorials, Retirement -- Verda Lee Wilson. by *Windle.

Referred by the Speaker to the Calendar and Rules Committee.

House Resolution No. 0089 -- Memorials, Personal Occasion -- Owen and Retha Hall, 50th wedding anniversary. by *Windle.

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Referred by the Speaker to the Calendar and Rules Committee.

House Resolution No. 0090 -- Memorials, Personal Occasion -- Joe and Faye Stephens, 25th wedding anniversary. by *Windle.

Referred by the Speaker to the Calendar and Rules Committee.

House Resolution No. 0091 -- Memorials, Personal Occasion -- Elmina Bingham, 85th birthday. by *Windle.

Referred by the Speaker to the Calendar and Rules Committee.

House Resolution No. 0092 -- Memorials, Personal Occasion -- Mr. and Mrs. Ray Lyons, fiftieth wedding anniversary. by *Windle.

Referred by the Speaker to the Calendar and Rules Committee.

House Resolution No. 0093 -- Memorials, Personal Occasion -- Mr. and Mrs. Bob Van Norstran. 30th wedding anniversary. by *Windle.

Referred by the Speaker to the Calendar and Rules Committee.

House Resolution No. 0094 -- Memorials, Interns -- Sandi Jo Viers. by *Allen, *Venable.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0323 -- Memorials, Sports -- Science Hill boys' basketball team. by *Allen, *Robinson Ruth.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0325 -- Memorials, Recognition and Thanks -- African American Men. by *DeBerry, *Jones U, *King, *Turner L, *Jones R, *Dixon, *Pruitt, *Love, *Armstrong.

Referred by the Speaker to the Calendar and Rules Committee.

SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)

On motion, the resolutions listed were referred as noted:

Senate Joint Resolution No. 0223 -- Memorials, Death -- Dr. Raymond A. Johnson.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0224 -- Memorials, Public Service -- Jennifer Ford.

Referred by the Speaker to the Calendar and Rules Committee.

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Senate Joint Resolution No. 0225 -- General Assembly, Statement of Intent or Position -- Knoxville bid for venue in 1994 Soccer World Cup.

Referred by the Speaker to the Calendar and Rules Committee.

RESOLUTIONS LYING OVER

On motion, the resolution(s) listed was/were introduced and referred as noted:

***Senate Joint Resolution No. 0217** -- Highway Signs -- Veterans Memorial Bridge, S.R. 25, Smith County.

The Speaker referred Senate Joint Resolution No. 217 to the Transportation Committee.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1607 -- Crossville -- Permits term of mayor and commissioners to be staggered. Amends Chapter 519, Private Acts of 1953, as amended. by *Duer, *Hillis.

Passed first consideration.

DELAYED BILLS REFERRED May 6, 1991

Pursuant to **Rule No. 78**, having been prefiled for introduction, House Bill(s) No(s). 1612, was referred to the Delayed Bills Committee.

***House Bill No. 1612** -- Alcoholic Beverages -- Authorizes sale of alcoholic beverages in commemorative bottles in Moore County. by *Rigsby.

REPORT OF DELAYED BILLS COMMITTEE May 6, 1991

Pursuant to **Rule No. 78**, we the undersigned members of the Delayed Bills Committee have approved the following bill(s) to be introduced: House Bill(s) No(s). 1591 and 1608.

Jimmy Naifeh, Speaker
Bill Purcell
John Chiles

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SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk as noted:

***Senate Bill No. 1019** -- DUI/DWI Offenses -- Establishes procedure for immediate revocation of driver license. (HB 0874).

Held pending third consideration of companion House Bill.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

House Bill No. 1601 -- Murfreesboro -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1602 -- Jellico -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1603 -- Springfield -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1604 -- Decatur County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1605 -- Cheatham County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

May 6, 1991

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 1601.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

May 6, 1991

MR. SPEAKER: The officers of your Calendar and Rules Committee report that we have set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **Thursday, May 9, 1991**: House Resolution(s) No(s). 86, 87, 88, 89, 90, 91, 92, 93 and 94; House Joint Resolution(s) No(s). 323 and 325; House Bill(s) No(s). 1601;

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also, Senate Joint Resolution(s) No(s). 223, 224 and 225.

PHILLIPS, Chair.

MESSAGE FROM THE SENATE

May 6, 1991

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1373; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

May 6, 1991

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 1373.

MESSAGE FROM THE SENATE

May 6, 1991

MR SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1351; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

May 6, 1991

MR SPEAKER: I am directed to return to the House, House Bill(s) No(s). 457; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

May 6, 1991

MR SPEAKER: I am directed to return to the House, House Bill(s) No(s). 325; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE

May 6, 1991

MR. SPEAKER: I am directed to return to the House, House Bill No. 647.

The Senate lifted the tabling motion, reconsidered passage of the bill, reconsidered adoption of Amendment No. 4, withdrew Amendment No. 4, then repassed the bill on third and final consideration, as amended.

CLYDE W. MCCULLOUGH, JR.
Chief Clerk.

ENGROSSED BILLS

May 6, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 587, 715, 1141, 1227, 1292, 1595, 1596, 1597, 1598 and 1599; also, House Joint Resolution(s) No(s). 242, 243, 256, 270, 276, 280, 298, 319, 320, 321, 322 and 324; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS

May 6, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 190; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 6, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 47, 180, 248, 255, 260, 261, 333, 887, 888, 1201 and 1581; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. MCCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE
May 6, 1991

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 299, 300, 301, 302, 303, 304, 307 and 309; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
May 6, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 71; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
May 6, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 237; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS
May 6, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 881 and 1304; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
May 6, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 33, 687, 889, 934, 973 and 1373; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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**MESSAGE FROM THE SENATE
May 6, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 228, 230, 231, 233, 235, 237, 240, 241, 242 and 245; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0228 -- Memorials, Heroism -- Kingsport Memorial Gardens Park Military Monument. by *Montgomery, *Crowe.

Senate Joint Resolution No. 0230 -- Memorials, Public Service -- Tom Wesley, Honorary Tennessee Colonel. by *Springer.

Senate Joint Resolution No. 0231 -- Memorials, Public Service -- Recycle America Tri-Cities Recycling Center. by *Montgomery, *Crowe.

Senate Joint Resolution No. 0233 -- Memorials, Interns -- Michael Coulter. by *Patten, *Gilbert.

***Senate Joint Resolution No. 0235** -- Memorials, Government Officials -- Urges department of transportation to cooperate with Memphis Planning Office in completing improvements to certain portion of Horn Lake Road. by *Davis E.

Senate Joint Resolution No. 0237 -- Memorials, Congratulations -- Clinton Elementary School Chess Club Champions. by *McNally.

Senate Joint Resolution No. 0240 -- Memorials, Personal Achievement -- Gil Geidreich. by *Jordan.

Senate Joint Resolution No. 0241 -- Memorials, Personal Achievement -- Kelly Powell. by *Jordan.

Senate Joint Resolution No. 0242 -- Memorials, Heroism -- Kelly Phillips. by *Jordan.

Senate Joint Resolution No. 0245 -- Memorials, Professional and Business Achievement -- James M. Ryan. by *Kyle, Cohen.

**MESSAGE FROM THE SENATE
May 6, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 6, 383, 894, 995, 1012 and 1358; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Bill No. 0006** -- Judicial Districts -- Requires chancellor of fourth judicial district to continue serving fifth

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judicial district. Amends TCA 16-2-506. by *Koella.

***Senate Bill No. 0383** -- Drugs -- Establishes possessing and distributing drugs near certain areas as enhancement factor. Amends TCA 40-35-114. by *Crutchfield, *Kyle, *Dunavant, *Burks, *Albright, *Gilbert, *Springer, *Jordan, *Greer, *Darnell.

***Senate Bill No. 0894** -- District Attorneys -- Adds additional criminal investigator and secretary to 10th judicial district; appropriates funds. Amends TCA 16-2-506. by *Patten, *Elsea.

***Senate Bill No. 0995** -- Criminal Offenses -- Creates offense of fraudulent transfer of motor vehicle. Amends TCA, Title 39, Ch. 14, Pt. 1. by *Person.

***Senate Bill No. 1012** -- Contractors -- Revises requirements for licensure as general contractor. Amends TCA, Title 62, Ch. 6. by *Dunavant.

Senate Bill No. 1358 -- Agriculture -- Enacts "Tennessee Aquaculture Policy Act of 1991". Amends TCA, Title 43. by *Burks, McKnight.

MESSAGE FROM THE SENATE

May 6, 1991

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 128.

The Senate refused to recede from its action in nonconcurring in House Amendment(s) No(s). 2.

The Speaker appointed a Conference Committee composed of Senators Cohen, Chairman; Patten and Cooper to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 128.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

May 6, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 39; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM SENATE
May 6, 1991

MR. SPEAKER: I am directed to request the return of Senate Bill No. 1012, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

On motion of Rep. Purcell, the House recessed until 9:00 a.m., Thursday, May 9, 1991.